



TOWN OF DALTON

Town Hall
462 Main Street
Dalton, MA 01226-1601



Telephone (413) 684-6111

Fax (413) 684-6107

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August 15, 2006

Alicia Matthews
Director
The Commonwealth of Massachusetts
Office of Consumer Affairs and
Business Regulation
Department of Telecommunications
And Energy
Cable Television Division
One South Station, Hearing Room A
Boston, MA 02110

Re: Cable License with Time Warner Cable

Dear Ms. Matthews:

Local officials in the Town of Dalton support increasing competition for cable television services.

It is the Select Board, Town Manager, Cable Advisory Committee and other dedicated local officials who, through negotiations, are at the forefront of ensuring competition and lower prices while maintaining quality services and important public education and government access of their constituents.

Contrary to those who seek to pre-empt local authority, the Town of Dalton believes that supporting local control of cable franchising does not make one anti-competitive. In fact, it enhances consumer protections while ensuring that taxpayers' interests are put first.

The Town of Dalton is very concerned that Verizon's petition proposes extremely unreasonable new rules for initial cable licensing.

The Proposed rules would require a municipality to hold a public hearing on an initial cable television license application within sixty (60) days of the application filing, and would require only thirty (30) days from the time of the public hearing for the municipality to approve or disapprove the application, and issue the actual license in case of approval.

Many municipal officials have complained that it is impossible to conclude a proper initial license application review, negotiation, license drafting and issuance within thirty (30) days of the public hearing. Such an initial licensing time frame would be untenable in the best of circumstances, and is particularly untenable now in light of the many questions of first impression and complex issues raised by the non-standard terms and conditions commonly reported to be included in Verizon-proposed cable licenses.

As is evident from RCN initial licensing experience, cable operators willing to negotiate customary and standard cable licenses enjoy reasonable and fast municipal licensing.

The existing license timetables have worked well for decades. They should not be changed at the behest of single proponent.

Verizon has not provided any credible evidence that these changes are necessary.

There is no rational basis for casting aside the time tested licensing rules and replacing them with radically abbreviated rules.

The Town of Dalton officials who are responsible for implementing licensing and who are accountable to the public are in opposition of such rules.

The Town of Dalton officials are concerned that under the proposed rules they will be boxed into an untenable thirty (30) day post-hearing licensing process, and the

Town of Dalton will lose its ability to properly review and negotiate Verizon cable proposals.

The Town of Dalton leaders are disappointed that the rulemaking was granted forcing communities to waste valuable time and resources fighting an issue that will most likely be decided at the national level anyway.

Sincerely,
Dalton Select Board

A handwritten signature in black ink, reading "Thomas Szczepaniak". The signature is written in a cursive style with a large, stylized 'T' and 'S'.

Thomas Szczepaniak
Chairman

MH/KEW/djm